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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

)

9 Plaintiff,

)

10 v.

)

2:09-CR-060-PMP (PAL)

11 SANTIAGO HUMBERTO

12 RODRIGUEZ-APARICIO,

)

)

13 Defendant.

)

14 **PRELIMINARY ORDER OF FORFEITURE**

15 On November 18, 2010, defendant SANTIAGO HUMBERTO RODRIGUEZ-APARICIO  
16 was found guilty on Counts Two and Three of a Three-Count Criminal Indictment charging him in  
17 Count One with Deported Alien Found Unlawfully in the United States, in violation of Title 8, United  
18 States Code, Section 1326; in Count Two with Unlawful Alien in Possession of a Firearm and  
19 Ammunition, in violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2); and  
20 in Count Three with Convicted Felon in Possession of a Firearm and Ammunition, in violation of Title  
21 18, United States Code, Sections 922(g)(1) and 924(a)(2).

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of  
23 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the  
24 Criminal Indictment and the offense to which defendant SANTIAGO HUMBERTO RODRIGUEZ-  
25 APARICIO was found guilty.

26 ...

1           The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

3           a.        Kel-Tec .380 caliber semi-automatic handgun, serial number J7654; and  
4           b.        17 rounds .380 caliber ammunition.

5           This Court finds the United States of America is now entitled to, and should, reduce the  
6 aforementioned property to the possession of the United States of America.

7           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
8 United States of America should seize the aforementioned property.

9           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
10 SANTIAGO HUMBERTO RODRIGUEZ-APARICIO in the aforementioned property is forfeited  
11 and is vested in the United States of America and shall be safely held by the United States of America  
12 until further order of the Court.

13           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
15 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
16 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
17 the name and contact information for the government attorney to be served with the petition, pursuant  
18 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
20 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

21           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
23 following address at the time of filing:

24           ...

25           ...

26           ...

Daniel D. Hollingsworth  
Assistant United States Attorney  
Michael A. Humphreys  
Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

DATED this 6th day of December, 2010.

Philip M. Orr

**UNITED STATES DISTRICT JUDGE**

## PROOF OF SERVICE

I, Heidi L. Skillin, certify that the following individuals were served with copies of the Preliminary Order of Forfeiture on December 6, 2010 by the below identified method of service:

## Electronic Filing

Gabriel L. Grasso  
Gabriel L. Grasso, P.C.  
231 S. Third Street, Suite 100  
Las Vegas, NV 89101  
[gabriel@grassodefense.com](mailto:gabriel@grassodefense.com)  
*Counsel for Santiago Humberto Rodriguez-aparicio*

/s/ HeidiLSkillin  
HEIDI L. SKILLIN  
Forfeiture Support Associate Clerk